

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HERLANDOS Y. McCREE,

Plaintiff,

v.

CASE NO. 10-14478
HON. MARIANNE O. BATTANI

CITY OF DETROIT, et al.,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff Herlandos Y. McCree brings this civil action alleging his constitutional rights have been violated. Defendants City of Detroit, the Detroit Police Department, and the Detroit Mayor's Office ("Moving Defendants") moved for dismissal of the claims against them. The case was referred to Magistrate Judge R. Steven Whalen for all pretrial proceedings. See, 28 U.S.C. § 636(b)(1); (Doc. No. 8).

On October 8, 2010, the Magistrate Judge recommended that the Court grant Defendants' Motion to Dismiss (Doc. No. 16). The Magistrate Judge informed the parties that objections to the R&R must be filed within fourteen days of service and that a party's failure to file objections would waive any further right of appeal. (See id. at 4); 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2); Thomas v. Arn, 474 U.S. 140 (1985).

Because no objection has been filed in this case, the parties waived their right to review and appeal. Accordingly, the Court **ADOPTS** the Report and Recommendation, **GRANTS** Defendants' motion, and **DISMISSES** Moving Defendants with prejudice.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: September 6, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served upon Plaintiff via ordinary U.S. Mail and counsel for the defendant, electronically.

s/Bernadette M. Thebolt
Case Manager